

EXHIBIT F

In the Matter Of:
RITA-ANN CHAPMAN AND GARY CHAPMAN
VS
AVON PRODUCTS, INC., et al.

Chapman Trial Day 23
November 02, 2022

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OF CALIFORNIA

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Chapman Trial Day 23
November 02, 2022SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT 7 HON. LAWRENCE P. RIFF, JUDGE

| | | |
|------------------------------|---|-----------------------|
| LAOSD ASBESTOS CASES |) | JCCP CASE NO. 4674 |
| |) | |
| RITA-ANN CHAPMAN AND GARY |) | CERTIFIED COPY |
| CHAPMAN, |) | |
| |) | |
| PLAINTIFFS, |) | CASE NO. |
| |) | 22STCV05968 |
| VS. |) | |
| |) | |
| AVON PRODUCTS, INC., ET AL., |) | |
| |) | |
| DEFENDANTS. |) | |
| |) | |

REPORTER'S TRANSCRIPT OF PROCEEDINGS

NOVEMBER 2, 2022

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Chapman Trial Day 23
November 02, 2022

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Chapman Trial Day 23
November 02, 2022

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Chapman Trial Day 23
November 02, 2022

23

1 FROM THE COURT, WHICH IS WARRANTED.

2 SO I WANT TO EXPLAIN FURTHER AS FOLLOWS: I
3 ALLOW FOR THE POSSIBILITY THAT BETTY BELL, THIS CASE
4 NUMBER 9, IS LIKE INDISPUTABLE FACT INFERABLE FROM
5 JUDICIALLY-NOTICED MATERIAL -- LIKE THE DEED, AS TO WHO
6 THE OWNER OF THE PROPERTY IS, FOR PURPOSES OF STANDING.

7 IN MY MIND THAT IS DIFFERENT IN KIND THAN THE
8 KIND OF, "FACT," THAT I THINK THE PLAINTIFF IS URGING
9 UPON ME RELATIVE TO THE EPA MATTER. FOR EXAMPLE,
10 WHETHER STUDIES OF MOTOR VEHICLE MECHANICS IS
11 SUFFICIENTLY SENSITIVE TO DETECT A CANCER RISK. I
12 DON'T THINK THAT FACT IS INDISPUTABLY INFERABLE FROM
13 THE JUDICIALLY-NOTICED MATERIAL.

14 SO ASSUMING FOR ARGUMENT, WHICH I WILL, THAT I
15 COULD TAKE JUDICIAL NOTICE THAT BETTY BELL IS CASE
16 NUMBER 9 IN THE MOLINE STUDY, I AM DECLINING TO DO SO
17 UNDER EVIDENCE CODE SECTION 352. RELEVANCE AND
18 352 REMAIN OPERATIVE DOCTRINES RELATIVE TO JUDICIAL
19 NOTICE AS WELL AS EVIDENCE.

20 AND I THINK ON THIS RECORD, THESE MATTERS ARE
21 UNDULY ATTENUATED AND COLLATERAL TO THE MATTER AT HAND,
22 AND IT WILL RESULT IN AN UNDUE CONSUMPTION OF TIME.
23 I'M NOT SO MUCH WORRIED ABOUT JURY CONFUSION, BUT I AM
24 WORRIED ABOUT UNDUE CONSUMPTION OF TIME RELATIVE TO THE
25 IMPORTANCE OF THE INFORMATION.

26 AS EXPLAINED TO ME, CASE NUMBER 9 IS ONE OF
27 33 AND MAYBE ONE OF 108 STUDIES. MOREOVER, IN ORDER TO
28 MAKE THE RELEVANCE LINK FROM CASE NUMBER 9, BEING

Chapman Trial Day 23
November 02, 2022

24

1 BETTY BELL, TO CASE NUMBER 9, BEING BETTY BELL BEING
2 EXPOSED TO ASBESTOS AT A TEXTILE PLANT, IT'S GOING TO
3 REQUIRE AN INQUIRY INTO THE BETTY BELL CASE AND
4 DR. LONGO'S REPORT, APPARENTLY, AND WHAT HE KNEW AND
5 WHAT HE DIDN'T KNOW AND THE CONSEQUENCE -- AND WHAT THE
6 CLAIM WAS AND WHAT A WORKERS' COMPENSATION MATTER IS.
7 SO I DECLINE TO GO THERE, SO THAT'S THE RULING.

8 MR. MULARCZYK: CAN I JUST MAKE ONE ADDITIONAL
9 COMMENT ON THAT?

10 THE COURT: YOU CAN, BUT I HAVE RULED.

11 MR. MULARCZYK: I'M NOT GOING TO ASK TO THE
12 COURT TO DO ANYTHING DIFFERENT.

13 THE COURT: OKAY.

14 MR. MULARCZYK: TO THE EXTENT THAT THE
15 PLAINTIFFS ARE GOING TO RELY ON THE MOLINE ARTICLE,
16 THEY, BY DEFINITION, WILL BE INQUIRING INTO 33 CASES
17 THAT HAVE NOTHING TO DO WITH MRS. CHAPMAN. THEIR
18 33 CASES, LITIGATION, REFERRED TO DR. MOLINE -- AND NOT
19 ONLY DR. MOLINE, BUT DR. GORDON, WHO'S A COAUTHOR ON
20 THIS PAPER, WHO WE ALREADY TALKED ABOUT IN THIS TRIAL.
21 THEY WILL BE INTRODUCING INTO EVIDENCE AT THIS TRIAL 33
22 OTHER LITIGATION CASES THAT HAVE NOTHING TO DO WITH
23 MRS. CHAPMAN.

24 AND WHAT WE ARE ASKING TO INQUIRE ABOUT IS --
25 INTO ONE, WHERE PLAINTIFF ACTUALLY MADE AN ALLEGATION
26 OF EXPOSURE TO ASBESTOS, OTHER THAN COSMETIC TALC THAT
27 IS NOT DISCUSSED IN THE PAPER.

28 THE COURT: I DO UNDERSTAND.